REMARKS/ARGUMENTS

Claims 1-24 are pending in the present application.

REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 1-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by

Publication No. US 2002/0038398 to Morrison et al. ("Morrison").

Applicants respectfully submit that none of the cited sections of Morrison teach,

suggest or reflect at least "a method for executing a locked bus transaction in a multi-

node system, comprising initiating a locked-bus transaction at a bus agent, transmitting a

locked-bus request to a first node controller, and deferring the locked-bus transaction at

the bus agent by said first node controller" [claim 1].

The Office Action states that Morrison discloses a method for executing a

locked bus transaction in a multi-node system, comprising: ... deferring the locked bus

transaction at the bus agent by said first node controller at Figure 1 (106) and paragraph

[0025]. Element 106 of Figure 1 is a controller. Paragraph [0025] states:

> "In operation, *controller 106 receives a request for a locked transaction from one of the processors 223 and 224 via bus 116 and connection 219. IOQ 209 receives and stores the locked transaction.* In response, snoop response generation 210, interacting with IOQ 209, retries the transaction on bus 116 while setting an associated lock number pin. In parallel with retrying it, the transaction is transferred via local control 206 to processor queue 203, which in turn notifies request generate 201. In response, request generate 201 issues an invalidate transaction to a location of a lock on address in memory 126 in order to acquire semaphore 129. Once it has acquired semaphore 129, request generate 201 sends a notification that semaphore 129 is acquired through IOQ 202 and quiesce state machine 204 to snoop response generation 210" *(emphasis added).*

Additionally, the Examiner states: "As Morrison notes at [0025] *the IOQ receives and*

stores the locked transaction; the transaction is transferred via local control to processor

queue. Furthermore, Morrison notes at [0027] (examiner further cited for clarification) stop issuing transactions because of a pending locked transaction (wherein storing, pending the locked transaction implies deferring). It is clear that Morrison is an analogous art and it reads on the breadth of the claimed languages; therefore it is properly stated in the rejection of record" *(emphasis added)*.

Embodiments of the Applicants' invention are directed towards "...deferring the locked-bus transaction *at the bus agent* by said first node controller" (as recited in claim 1 – *emphasis added)*. The Office Action states that *the IOQ* receives and stores the locked transaction and the transaction is transferred via local control to the processor queue and transactions are no longer issued because of the pending locked transaction wherein storing, pending the locked transaction implies deferring (page 5, section 3a). However, Morrison discloses in paragraph [22] that *"[c]ontroller 106 includes an input/output queue (IOQ) 209 coupled to bus 116, a snoop response generation 210, and a local control 206"*. Therefore, the IOQ in Morrison is merely another portion of controller 106 that processes the locked-bus transaction (as discussed above), unlike in the embodiment recited in claim 1 where deferring occurs at the bus agent.

Since features of the present invention are not disclosed in, nor taught by, the Morrison reference, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(e) is respectfully requested. Independent claims 10, 19, and 21 contain similar allowable limitations and therefore the rejection of these claims under 35 U.S.C. § 102(e) should be withdrawn as well. Dependent claims 2-9, 11-18, 20 and 22-24 depend from allowable independent claims, and therefore are in condition for allowance.
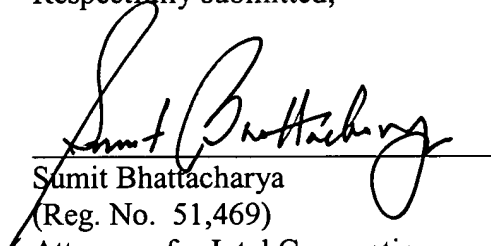
For at least the above reasons, Applicants respectfully submit that the present case is in condition for allowance and respectfully requests that the Examiner issue a notice of allowance.

The Office is hereby authorized to charge any fees determined to be necessary under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Kenyon & Kenyon **Deposit Account No. 11-0600.**

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

Respectfully submitted,

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